

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) 2:09-CV-1647-LRH (LRH)
\$49,205.27 IN UNITED STATES CURRENCY,)
Defendant.)

**UNITED STATES' UNOPPOSED MOTION TO CONTINUE
THE DATE TO FILE ITS COMPLAINT FOR FORFEITURE IN
REM IN THE ABOVE-CAPTIONED MATTER AND ORDER
(Third Request)**

The United States of America ("United States"), by and through Daniel G. Bogden, United States Attorney, and Michael A. Humphreys, Assistant United States Attorney, respectfully apply for an extension of time until and including March 31, 2010 pursuant to 18 U.S.C. § 983(a)(3)(A), for the United States to file a Civil Complaint For Forfeiture In Rem against the \$49,205.27 in United States Currency. The Government's Complaint is currently due December 31, 2009.

Gregg Gariti and numerous associates of his have been the focus of a historical state/federal criminal investigation into their activities of alleged unlawful gaming activities in Nevada and elsewhere. Generally speaking, the Government has developed information that Gariti and others were operating an illegal book-making operation from approximately December 2008 through

1 approximately April 2009, all in violation of 18 U.S.C. § 1084 and other federal anti-gambling
2 statutes. A principal situs of that illegal operation was Las Vegas, Nevada.

3 Pursuant to plea negotiations between Mr Gariti and the Government, on September 24,
4 2009, Mr. Gariti entered a change of plea before this Court. Mr. Gariti is scheduled to be sentenced
5 on January 22, 2010, (although on information and belief by Government forfeiture counsel, that
6 sentencing date may be continued by consent of counsel representing the parties in that criminal
7 case). In the meantime, the Government has a deadline, under the strictures of 18 U.S.C. § 983
8 (a)(3)(A), to file its forfeiture complaint, regarding the above-captioned currency, no later than
9 December 31, 2009.

10 The criminal case will not be disposed of by the time the Government is required to file its
11 complaint. However, counsel for the United States believes that there will be a final disposition of
12 this matter before the expiration of the time period for the continuance requested herein; making
13 further requests for continuances unnecessary.

14 Finally, counsel for the Government spoke to defendant's counsel, Margaret Standish, on
15 December 28, 2009, and she has authorized the undersigned to represent to this Court that she has
16 no objection to the continuance requested herein.

17 The Government, herewith, petitions this Court to extend the time for the Government to file
18 its civil complaint in the above-captioned matter, to facilitate a final universal plea/sentencing
19 disposition.

20 This motion is not submitted solely for the purpose of delay or for any other improper
21 purpose.

22 ...

23 ...

24 ...

25 ...

26 ...

1 WHEREFORE, the United States moves this Court to grant it's motion to extend the time
2 for the United States to file it's civil complaint in the above-captioned matter for an additional 90
3 days, or until March 31, 2010.

4 DATED this 29nd day of December 2009.

5 Respectfully submitted,

6 DANIEL G. BOGDEN
United States Attorney

7 /s/Michael A. Humphreys
MICHAEL A. HUMPHREYS
8 Assistant United States Attorney

9
10 IT IS SO ORDERED:

11
12 
13
14

15 LARRY R. HICKS
16 UNITED STATES DISTRICT JUDGE

17 DATED: December 30, 2009
18
19
20
21
22
23
24
25
26